UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.173
13 October 1994

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Seventh session

SUMMARY RECORD OF THE 173rd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 7 October 1994, at 10 a.m.

Chairperson: Mr. HAMMARBERG

later: Mrs. BELEMBAOGO

CONTENTS

Consideration of reports of States parties (continued)

Spain (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.94-19278 (E)

The meeting was called to order at 10.20 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Spain (continued) (CRC/C/8/Add.6; CRC/C.7/WP.1)

1. The CHAIRPERSON said that at the conclusion of the previous meeting the Committee had been discussing action to prevent the ill-treatment of children. Questions had been asked about the phrase in the Civil Code stating that parents could "administer punishment to their children reasonably and in moderation" (para. 143 of the report). He would like to be clear whether the corporal punishment of children was legal or illegal.

2. Mr. MATO (Spain) said in reply that corporal punishment was prohibited in schools. School inspectors were empowered to investigate complaints and an administrative penalty could be imposed. Ill-treatment within the family was also not allowed. The Civil Code was perhaps rather unfortunately worded. The content of article 154, from which the phrase was taken, referred essentially to the parents' function, in regard to children and adolescents, of setting standards of behaviour in society and within the family. It was intended to respond to children's need for secure and consistent standards of conduct on both sides. He agreed that the wording could give rise to misinterpretation.

3. The CHAIRPERSON said that article 19 of the Convention specifically called on States parties to take appropriate legislative and other measures to protect children from all forms of physical or mental violence.

4. Mrs. SANTOS PAIS said it had emerged clearly from the discussion that corporal punishment was not allowed in schools. There seemed to be a margin of discretion, however, in the family. It had been suggested, therefore, that the position would be clearer if the Civil Code also stated that corporal punishment was not allowed.

5. Mr. MATO (Spain) said that the passage from the Civil Code needed to be considered in context. The provision was concerned with the parental function of bringing children up to be members of society. Consideration was being given to amending the Civil Code so that "parental authority" was defined instead as the parental function.

6. The CHAIRPERSON said that few aspects of the law concerning children were so important for the children themselves. In countries where legislation clearly banned corporal punishment, it gave a message to the children. Prohibition had not resulted in a flood of complaints to the Court but it had served to educate parents. Any ambiguity with regard to corporal punishment, or argument over whether or not it was excessive, was not desirable.

7. Mrs. EUFEMIO asked whether the wording of the Civil Code was understandable to parents. In the matter of ill-treatment, it was important that the language should be understood by lay persons, and indeed by children themselves.

8. Mr. MATO (Spain) said that the Civil Code was primarily intended to solve civil disputes. He found what happened in practice more interesting. There had been a profound change in the attitude of adults to children in Spain. The move from an authoritarian system of government had been mirrored in private life and the transition to democracy had brought with it very important changes in interpersonal relations. In parallel with those developments, there had been an important change in the position of women in Spanish society. The great advances by women in the 1970s and the 1980s had made possible a democratization of private law and the new status of women within the family had opened the way to a new perception of the role of the child. A number of sociological studies had demonstrated the effect: for instance, it had been shown in one recent study that some 70 per cent of children participated in family decision-making in matters that affected them. A strategy needed to be worked out whereby those changes could be consolidated since they affected the rights of the child in terms of the relationship between children and adults both in the family and in society at large. The terms of the Civil Code were not very complicated and the description of the function of the parents was relatively clear, although it was unlikely that many parents actually read the Code.

9. The CHAIRPERSON invited the Committee to take up the section of the list of issues entitled "Family environment and alternative care", which read:

"Family environment and alternative care

(Arts. 5, 18, paras. 1 and 2, 9, 10, 27, para. 4, 20, 21, 11, 19, 39 and 25 of the Convention)

12. Please describe the protection measures in place to support the family, including, in particular, the case of single-parent families.

13. Please report on the research undertaken into the problem of ill-treatment and sexual abuse of children, including into the social factors which influence such violations. What procedures exist for intervention by the authorities in cases where a child needs protection from serious abuse within the family? Can children lodge complaints of abuse or neglect?

14. Please indicate the Government's policy on alternative care for children as regards the choice between institutional care and care in foster homes or similar arrangements.

15. Please describe the procedures governing intercountry adoption, including those relating to its monitoring and supervision.

16. Please indicate the steps taken to address the problem of suicides among children."

10. Mr. MATO (Spain) said that measures to support the family included the minimum income for social integration established by the Autonomous Communities, on a scale that took into account family circumstances as well as economic factors. That benefit had two components: an economic contribution to low-income families in need, and the provision of facilities for social

integration, with regard to, first, everyday life in the home, and secondly, job training. One parent families were usually headed by a woman, the mother, who needed help. Nearly all the mechanisms established, for example, access to public facilities for child care, took the family situation into account. The Autonomous Communities also took family circumstances into account in allocating social housing. The contribution of the central Government was basically financing for such housing. An Inter-Ministerial Committee on family policy, which was particularly concerned with single-parent families, had been established to look into criteria for the redistribution of State financing. Most of the beneficiaries of the minimum income system were single parents, either in low paid work or without access to the labour market. A meeting of the Directors-General of the Autonomous Communities concerned with social services was to be held to see how the system was functioning and to map a strategy for the next few years for dealing with families with social difficulties.

11. Mr. MOMBESHORA said that a closely related question was child maintenance. Some countries experienced legal problems in that regard but in most of them the problems were administrative. He was sure that the legal framework was in place in Spain, but he would like to know what problems were encountered in administering it. When maintenance was not received, did the Government authorities provide support?

12. Mqr. BAMBAREN GASTELUMENDI said that the wide participation of the universities of the various regions in research into the problem of the ill-treatment of children was most valuable and necessary. He asked, however, if it was carried out in cooperation with the Ministry of Social Affairs. The participation in the research of professionals as well as academics would help the Ministry in taking practical decisions. As to the procedures for intervention by the authorities in cases where a child needed protection from abuse within the family, he noted that an investigation could be made ex officio or in response to a complaint. What part did the social services play in that connection? There seemed to be no reference to the social services in the draft legislation on the rights of minors reproduced at the end of the reply to question 13.

13. Mrs. EUFEMIO said that she was particularly interested in services for single parents. Apart from financial need, single parents often had psychological difficulties which could result in child abuse. Mothers could be subjected to great stress in trying to earn a livelihood for the family and children could serve as scapegoats for the ensuing frustrations. She asked whether there was any strategy to establish support groups made up of women in similar situations. Such groups could help single mothers to become more effective parents and often prevented child abuse.

14. Mrs. BELEMBAOGO said the reply to paragraph 14 indicated that the Government was seeking to encourage placement in foster families rather than institutional care, and that when the latter was deemed necessary it was of very limited duration. She asked whether the policy was really applied in the field and whether the effort to find families ready to foster or adopt children was successful. With regard to intercountry adoption, she understood

that Spain had made a reservation to the Hague Convention and asked whether it had been withdrawn. Most States which had entered reservations had done so for reasons different from those of Spain.

15. Mr. MATO (Spain) said that the social isolation experienced by single parent families increased the risk of child abuse and for that reason it was important to provide social support, for women especially. Social integration programmes were in operation to provide such support, through help with training and education, through help in the home in some cases, and through the provision of more nursery places. It was important for women to be given the prospect of emerging from that isolation. Support groups of the kind Mrs. Eufemio had mentioned had been set up in some places but not in others. Social isolation had increased with the rapid urbanization of the past 30 or 40 years. In the new industrial outskirts of the cities, few informal support systems had so far been constructed, while in the rural areas they were tending to die out. The aim was to regenerate those systems and in some places that had already been done.

16. After the transition to democracy in 1979, a system for the provision of basic services had begun to evolve at the community level. The Act Regulating the Basis of Local Government had been adopted in support of that system, and stipulated that no less than 3 per cent of the budget should be allocated to community social services. After 1988, the Concerted Plan for the Development of Basic Social Services of Local Corporations had established a system under which such basic services would be provided by the central, regional, and municipal authorities, in even thirds. The network of services envisaged by that plan, which represented the political commitment of various authorities, would not, however, be fully in place until the end of the decade. Its basic strategy included information, guidance, the provision of services to families and individuals in difficult circumstances, and the promotion of social service organizations and self-help groups.

17. Turning to the question of providing maintenance to children with an absent parent, he said that the 1989 reform of the Criminal Code had established a penalty for failure to pay support costs for spouse or children for a period of three consecutive months.

18. The CHAIRPERSON inquired how, under that system, a mother could feed her family if, despite the court order, payments were still not made.

19. Mr. MATO (Spain) said that in such circumstances a mother could appeal to the court to enforce the sentence; when a judge assumed direct responsibility for enforcement, the likelihood was much greater that the father would pay the stipulated support. If that measure failed, the mother would have recourse to the social protection measures described earlier.

20. Mrs. SANTOS PAIS said that certain European countries, prompted by a resolution of the Council of Europe, had established a system under which the State would advance support costs of that kind to cover the period preceding implementation of a decision by the court. Did such a system exist in Spain?

21. Mr. MATO (Spain) replied that no such system existed in Spain. The matter had, however, been debated in Parliament, and the Ministry of Social

Affairs was working on the development of a programme of that kind. Before taking a decision to implement such a measure, Spain was first conducting an evaluation of the efficacy of current social protection measures.

22. In reply to question 14, he said that a Spanish child in socially difficult circumstances had traditionally had only two options: to remain in the family without assistance, or to be interned in one of the juvenile custodial centres, which were large residential centres lodging thousands of children. In the early 1980s, the basic strategy of the Spanish child protection system had undergone a transformation. First, the centres had been replaced by a system of homes, tended by professional social workers. Secondly, various alternative approaches to child protection had begun to emerge and in particular the foster-care system. The number of children benefiting from that new approach had increased from 800 in 1988 to 3,000 in 1993. Thirdly, support was increasingly provided to children within the context of the family.

23. In addition, child-care services had been decentralized from the national level to the Autonomous Communities and primary care had become the responsibility of municipalities. While it was the local social services that would identify the case of a child in socially difficult circumstances, the decision to retain the child in the family with the assistance of support services, or, in graver cases possibly involving risk to the child, to separate him from the family, was taken at the level of the Autonomous Community. That process was in turn supervised by the Government Procurator's Office, whose role in such cases was to protect the rights of the child and to monitor administrative activity. If the decision was taken to separate the child from the family, various options existed: placement in either a centre or a foster home, adoption, and, if the crisis was temporary, return to the family. The new system had resulted in a decrease in both numbers of children lodged in centres and the duration of their stay and an increase in foster care and care for children in the home. The number of adoptions had levelled off and would probably begin to drop.

24. The child protection system was currently concentrating on four critical points: first, early detection through local social services; secondly, the individualization of decision-making with regard to removal of the child from the family; thirdly, the strengthening of the foster-care system; and fourthly, an improvement in methods of work. Traditionally, evaluations of social service systems had tended to concentrate on individual cases, and little information had been collected on the functioning of the system as a whole.

25. Mrs. EUFEMIO said that, despite training, foster families naturally formed attachments to the children they cared for. Several questions arose. How long was a child generally kept in foster care? What system, if any, existed to ease the emotional transition from the biological parents to the foster parents and vice versa? When the decision was taken to put a child up for adoption, could his foster parents choose to adopt him?

26. Mrs. BELEMBAOGO said that, first, Spain should provide some clarification of its efforts to handle the difficult problem of easing the transition of a child in foster care either back to his original family or on to an adoptive

family, as well of as the difference between short- and long-term foster-care placement in that context. Secondly, while Spain had actively participated in the drafting of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, it had entered reservations to that treaty. It had, first, limited its application to children who were nationals of one of the contracting States. Did that reservation not restrict the effectiveness of the Convention itself? Secondly, it had limited the competence of the relevant courts with regard to child protection in cases where that need arose from the dissolution of a marriage, thus effectively categorizing the children that could benefit from international adoption. It would be useful to know if, in the view of Spain, that was a fair interpretation of the reservation it had entered. Spain should examine the reasons for those reservations and consider withdrawing them.

27. The CHAIRPERSON said that the difficult problem of foster care was how to mediate the triangular relationship between the child, his natural and his foster parents, and raised the question how the relationship of a child and his family might be restored without a re-emergence of the reason for his removal. It would be useful if the Spanish delegation would respond briefly to that question at the current meeting and provide an in-depth response later in writing.

28. Mr. MATO (Spain) said that, for the child's emotional comfort in relation to both his biological and his foster family, the outcome of any measure must be clear in advance. If it was not, the potential for emotional conflict increased enormously. It must be known whether the placement was temporary, how long it would last, whether that decision could be modified, and whether it was a more permanent arrangement or clearly pre-adoptive. The pre-adoptive choice indubitably fostered great emotional confusion in the child.

29. In the matter of intercountry adoption (question 15 on the list of issues), it would be recalled that Spain had made not a reservation, but a declaration, or interpretative statement, to the effect that the provision contained in article 21 (d) of the Convention might never be "construed to permit financial benefits other than those needed to cover strictly necessary expenditure which may have arisen from the adoption of children residing in another country". Spain was expected very shortly to ratify the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (The Hague, 1993), seeing it as a bulwark against "private" or "independent" adoption that was tantamount to trafficking, a practice which had until recently been by no means uncommon in Spain. National legislation to eliminate the loopholes that had permitted past abuses would be enacted in a few days' time. He underscored the importance attached by Spain to the exchange of legal certification between the authorities directly or indirectly involved in intercountry adoptions, and to ensuring that adoptive families were in all ways capable of shouldering their responsibilities.

30. The CHAIRPERSON invited the Spanish delegation to respond to questions on "Basic health and welfare" in the list of issues, which read:

"Basic health and welfare

(Arts. 6, para. 2, 23, 24, 26 and 18, para. 3, 27, paras, 1-3, of the Convention)

"17. Please provide information on the occurrence and treatment of HIV infection among children and parents as well as measures to prevent AIDS.

"18. What steps are taken to promote breast-feeding?

"19. Please indicate the measures taken against the high consumption of alcohol and tobacco, and provide information on rehabilitation programmes available for drug addicts."

31. Mr. MATO (Spain) said that detection, control and treatment were coordinated by the National AIDS Registry on the basis of notifications supplied by the Autonomous Communities. Preventive measures were implemented by the public authorities at the national and regional levels, notably through information campaigns backed by the media and by social organizations, with families and young people as major target groups.

32. A highly controversial issue that had been resolved by a compromise related to confidentiality. It was the Government's position that the normal schooling of HIV-positive children or children with AIDS symptoms must not be interrupted, but a large section of the population opposed continued contact of victims with unaffected children, even though scientific studies had shown that to be without risk. At present, children with HIV/AIDS were protected by the rule of confidentiality and not set apart from their fellows; teachers had, however, been briefed on the special care that must be taken to ensure that proper rules of hygiene and behaviour were respected.

33. Reply to question 18, he said that the promotion of breast-feeding, in accordance with the principles and policies established by UNICEF and WHO, formed part of the national maternal and child health programme. However, the fact that for various valid reasons mothers were not always be able to breast-feed their children must not be lost sight of in the dogged pursuit of an ideal. It was essential to protect non-breast-feeding mothers from a sense of guilt that could inflict lasting harm on the emotional relationship with their offspring.

34. The CHAIRPERSON suggested that the Spanish delegation might wish to take the opportunity of discussing that issue further with the UNICEF representatives attending the Committee's session.

35. Mr. MATO (Spain) said in response to question 19 that when the national anti-drug programme had been launched in the early 1980s, heroin consumption in Spain had been high. Consumption now appeared to be declining, but cocaine appeared to be taking its place. Prevention and treatment of drug abuse were centrally coordinated under the authority of an official with the rank of Secretary of State: that was a measure of the seriousness with which the problem was viewed in Spain. Coordination itself had proved exemplary,

conferring a stamp of moral authority on initiatives at all levels in the State structure. He called attention to the details on prevention contained in the written replies.

36. Mr. KOLOSOV said he wished to raise the highly important issue of suicide (question 16 on the list of issues), and inquired whether any statistical analyses or scientific studies had been made of the rapidly increasing rate of suicide among young people in Spain, which might well be a sinister omen for the next century.

37. Mr. MOMBESHORA asked whether in Spain a relationship had been established between infant mortality rates and alcohol, tobacco and drug consumption. He noted from paragraph 211 of the Spanish report that "childhood AIDS was defined as AIDS in "children of 12 years of age or under". That age-limit was at variance with the definition of a child in the Convention as a person under the age of 18, and could confuse the process of statistical monitoring that was among the Committee's concerns. He further inquired to what extent AIDS in children, at the utterine or early infantile stages, could be attributed to drug-related transmission by the parents.

38. Mgr. BAMBAREN GASTELUMENDI noted from a 1993 UNICEF report that suicides among young people had more than doubled, with schooling problems, family conflicts and uncertainty about the future cited among the identifiable causes. He asked whether Spain, like several other European countries, had investigated loneliness as a significant contributory factor and whether any action had been taken in consequence.

39. He noted further, and with approval, the statement in paragraph 340 of the Spanish report (CRC/C/8/Add.6) that the Criminal Code punished illicit traffic in drugs, and made the penalties greater when they were supplied to juveniles or introduced into or distributed in schools and when the guilty person was someone in authority, a public servant, a social worker, a teacher or an educator. Given that the report was four years old, he asked whether any updated information could be provided on the consumption of drugs by young people in Spain, and inquired about the official position with regard to the proposed liberalization of some drug-related legislation.

40. Mr. MATO (Spain) said that the Committee would be provided with updated figures and other information on drug consumption, as requested. The most recent surveys indicated that the latest generation of teenagers was consuming less alcohol, tobacco and heroin.

41. Mr. LOPEZ (Spain) confirmed that, overall, and especially among teenagers, consumption of alcohol and tobacco was declining; inveterate consumers appeared, however, to be increasing their intake.

42. It appeared from studies that the perinatal and neonatal mortality rates in Spain were indeed affected by alcohol consumption by the mother. It also appeared that virtually all child-AIDS cases were due to transmission either in utero or at birth by the mother, who would typically be an intravenous drug user. In relation to those problems, preventive and awareness-raising programmes for women whose lifestyle jeopardized healthy childbearing were particularly difficult to implement successfully.

43. Concerning prevention in general, he remarked that the health and social services authorities in the Canary Islands had prepared a set of materials that were being used in sex education programmes in schools throughout Spain. One section was devoted to sexually-transmitted diseases, including AIDS.

44. With regard to suicide among children and young people, difficult family relations and teenage loneliness appeared, according to government-sponsored research, to be more important contributory factors than schooling problems. The standard nationwide paediatric and general programme of primary health care coverage of children from birth to the age of 14 provided for the monitoring of children's emotional and mental health. Individual children deemed to be at risk were identified for special surveillance and possible casework at the second or tertiary levels of care in the community. Accurate figures on child suicide were hard to come by, since doctors were reluctant to list suicide as the cause on death certificates.

45. Mr. MATO (Spain) observed that humanitarian considerations must nevertheless not be allowed to interfere with due process of law, including forensic examination and reporting on causes of death. Spain was officially opposed to any unilateral liberalization of legislation related to the use of narcotic drugs and psychotropic substances. Trafficking must continue to be categorized as a criminal offence; there must always be a legal mechanism to ensure prohibition; the abolition of penalties in one country could not but exacerbate the problem internationally. Lastly, the Spanish authorities were convinced that public health would be placed at even greater risk as a result of liberalization, with an increased supply of drugs leading to increased demand.

46. Referring to the administration of juvenile justice, he said that the Constitutional Court had recognized the need to reform existing legislation, particularly in relation to procedure and in order to ensure conformity with the Convention. As a consequence, a transitional stage had been reached during which efforts were being made to determine a minimum/maximum age for special treatment of juvenile offenders, but opinion was divided on the matter. A new Criminal Code was currently under consideration; it was proposed that the age of majority for criminal offences should be 18 and that there should be a special regime for young people between the ages of 18 and 21. Preparations were currently being made for the future regulation of both the substantive and procedural aspects of juvenile criminal legislation. It was planned that such legislation should enter into force at the same time as the new Criminal Code.

47. Mrs. SANTOS PAIS requested the Spanish delegation to ensure that copies of the new legislation were transmitted to the Committee as soon as it was enacted. She took it that the current system, which was applicable to children between the ages of 12 and 16 and based mainly on educational measures, would be extended to minors up to the age of 18.

48. Mr. KOLOSOV asked whether it was possible to obtain a breakdown of data indicating the types of offences committed by sex and by age, and the causes of the offences.

49. Mgr. BAMBAREN GASTELUMENDI requested information concerning the custodial centres for young offenders and whether the latter were separated from, or placed together with, adult offenders.

50. Mr. MATO (Spain) said that offences committed by minors tended to give rise to considerable public alarm. The social perception that minors were responsible for a large proportion of offences seemed to some extent to derive from the impression given by teenage behaviour, which could be regarded as arrogant and in some cases destructive. The media gave very widespread coverage to offences committed by minors, and that tended to distort and exaggerate the problem. There were in fact no more than three or four cases a year of manslaughter by children under the age of 13, for eample, and the situation was not therefore as dramatic as was sometimes portrayed. To offset such a trend facts must be publicized to show the true situation. It was important to avoid exaggeration by the media and to make every effort to ensure that young people found their place in society and on the labour market.

51. Of the solutions attempted in various European countries to rehabilitate young offenders, the most effective had proved to be those which offered greatest interaction between the offender and the victim, those involving community work and those intended to make good the damage caused. His Government's view was that an effort must be made to make existing provisions and mechanisms for the integration of young people more flexible in order to include the young offender; for that reason, the focus was on special workshops and other educational and training possibilities. Centres for young offenders in Spain were either open, partly-closed (the minors returning at night), or closed; while relatively few places were available in the latter centres, there were more than sufficient for the number of offenders. The majority of centres were staffed by specially trained personnel; most were intended for just 10 or 20 offenders, and in general never more than 30. Official visits were regularly made to the centres to check conditions and hear any complaints or comments by the young people placed in them.

52. Mr. KOLOSOV, observed that the figure of 20,000 juvenile offenders in Spain, of whom some 850 were placed in reform centres, was not high. He wondered to what extent the situation was amplified by the mass media, in view of paragraph 139 of Spain's report, which stated that the right to privacy was guaranteed for any alleged juvenile offender.

The meeting was suspended at 12.30 p.m. and resumed at 12.55 p.m.

53. Mrs. Belembaogo took the Chair

54. The CHAIRPERSON said that, in view of time constraints and in order to expedite the work of the Committee, the Rapporteur would draw to the attention of the delegation of Spain the main conclusions and recommendations of the Committee as a whole.

55. Mrs. SANTOS PAIS, speaking as Rapporteur, said that the Committee wished to emphasize the importance of further consideration by the State party of efforts to achieve coordination of existing mechanisms, and of developing the legal framework at the constitutional and national levels to ensure broad evaluation and monitoring of central, regional and local administration.

Respect for the Convention and its effective implementation must be snured at all levels within the country, thus permitting a better overall view of the situation, collection of relevant information and a comprehensive and multidisciplinary evaluation of progress achieved and difficulties encountered.

56. The Committee considered it important to take closer account of article 4 of the Convention in relation to the allocation of resources at the central, regional and local levels, particularly in view of the competence of the Autonomous Communities in the areas of health and education. It was also important to find a way of ensuring equilibrium in all policies so that the best interest of the child remained an inspiring principle in definition and implementation at all levels. International development activities by Spain might well be further strengthened for the benefit of children.

57. The Committee further recommended that activities to make information available on, and promote awareness of, the rights of the child should be pursued, taking into special account the situation of the most vulnerable groups and the need to provide training, especially for groups such as police officers and magistrates.

58. Another recommendation would be to continue efforts, by building on the existing spirit of dialogue, to institutionalize the good relationship with NGOs in order to ensure increased popular participation and allow public scrutiny.

59. The Committee encouraged the State party to continue the legislative reform currently under way, including a review of the language of existing legislation. In that respect she recalled the concern expressed by the Committee about the Civil Code provisions relating to parental punishment of children and the need to ensure that actual practice was realistically reflected in the Code.

60. Furthermore, it might be possible to improve the system of safeguards and general framework for intercountry adoption, bearing in mind in that respect that Spain was intending to ratify the Hague Convention. The Committee encouraged prompt adoption of proposed legislation concerning juvenile justice to ensure full conformity with the Convention and to ensure that the children in conflict with the law were regarded as victims rather than solely as offenders. It also recommended that the State party should continue the research already under way concerning the causes of juvenile crime and encouraged adoption of all necessary measures to ensure the implementation of article 7 of the Convention, particularly in relation to the right to nationality in order to avoid any possibility of children under Spanish jurisdiction finding themselves stateless.

61. It recommended that the State party should pursue its policy of strengthening the family as an institution as well as assistance to the family in the context of the International Year of the Family. It was important to develop research on the causes of suicide among young people in Spain. It also encouraged Spain to ensure full implementation of article 32 of the Convention concerning the economic exploitation of children and of the ILO Conventions ratified by Spain. Concerning refugee children, asylum seekers .

and unaccompanied children, it was important to ensure that all children enjoyed the rights recognized in the Convention in general and that, in the light of article 10, all applications for the purpose of family reunification were dealt with in a positive, humane and expeditious manner by the Spanish authorities. In that connection, the Committee encouraged Spain to consider ratifying the Convention on Migrant Workers.

62. Lastly, the Committee recommended that the State party's report, the deliberations in the Committee and the concluding remarks should be published by the Government of Spain in order to promote broad discussion of the rights of the child in that country.

63. Mr. MATO (Spain) said that the recommendations of the Committee would doubtless help to improve the situation of children in Spain, and the various administrative departments and the relevant NGOs would be duly informed of them. The institutionalization of relations with NGOs was an objective which had already been set. The recommendations concerning legislation had been noted with interest. Any further observations or recommendations of any kind would be welcome. Bearing in mind that Spain's next report was due in three years' time, he hoped that it would reflect improvements consistent with the recommendations just made. In the meantime, he hoped to be able to submit to the Committee any relevant additional information.

64. The CHAIRPERSON noted with pleasure the Spanish delegation's offer to provide such information and thanked its members for their detailed and pertinent responses to the comments and questions of members of the Committee.

65. The delegation of Spain withdrew.

The meeting rose at 1.15 p.m.